

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**FRANCISCO SANTIAGO CASILLAS
HEDD ESTHER ALEJANDRO
DEBTOR(S)**

CASE NUMBER: 08-03248 (BKT)

CHAPTER 13 ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Amended in order to include lump sum payment from adversary proceeding.

3. Debtor (s) amend plan call thirty five (35) payment of \$350.00 dollars and one (1) payment of \$400.00 dollars with a provision for the payment of pre petition arrears to Liton Loan, account ending number-5597 and paid in full to Reliable Financial, account ending number-9115 and lump sum payment for a total amount of \$11,000.00 for a total base of \$23,650.00 dollars.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 31st, day of August, 2010.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA
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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 08-03248 BKT

SANTIAGO CASILLAS, FRANCISCO & ALEJANDRO, HEDDY ESTHER

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☒ AMENDED PLAN DATED: 8/31/2010

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☒ Other

I. PAYMENT PLAN SCHEDULE

\$ 350.00 x 35 = \$ 12,250.00
\$ 400.00 x 1 = \$ 400.00
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 12,650.00

Additional Payments:

\$ 11,000.00 to be paid as a LUMP SUM
within 28 months with proceeds to come from:

☐ Sale of Property identified as follows:

☒ Other:
adversary proceeding

Periodic Payments to be made other than, and in
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 23,650.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,920.00

Signed: /s/ FRANCISCO SANTIAGO CASILLAS
Debtor

/s/ HEDDY ESTHER ALEJANDRO
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. LITON LOAN SERVICE Cr.
5597 #
\$ 35.00 \$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. RELIABLE FINANCIAL Cr.
851-589115 #
\$ 1,372.00 \$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. Cr. Cr.

\$ \$ \$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:
LITON LOAN SERVICE

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:
☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.

\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

ADEQUATE PROTECTION PAYMENT TO RELIABLE UNTIL CONFIRMATION \$100.00 TO BE PAID BY
TRUSTEE MONTHLY.

PLAN WILL INCREASE WHEN DEBTOR PAYOFF RETIRO LOAN (MARCH 2011)

RELIABLE FINANCIAL: PO BOX 21382, SAN JUAN PR 00928-1382

INSURANCE TO RELIABLE FINANCIAL THROUGH UNIVERSAL AT THE END OF SALES CONTRACT IN THE
APPROXIMATE AMOUNT OF \$288.00 DISBURSEMENT TO UNIVERSAL INSURANCE TO BEGIN AT END OF
THE SALES CONTRACT DECEMBER 2008.

Attorney for Debtor Marilyn Valdes Ortega Law Offices

Phone: (787) 758-4400

SANTIAGO CASILLAS, FRANCISCO PO BOX 553 LUQUILLO, PR 00773	RELIABLE FINANCIAL SERVICES PO BOX 21382 SAN JUAN, PR 00928-1382
ALEJANDRO, HEDDY ESTHER PO BOX 553 LUQUILLO, PR 00773	SCOTIABANK PO BOX 362230 SAN JUAN, PR 00936-2230
Marilyn Valdes Ortega Law Offices PO BOX 19596 SAN JUAN, PR 00919-5596	WAL-MART PO BOX 530927 ATLANTA, GA 30353-0927
ANTONIO RIOS ACOSTA, ESQ. PO BOX 663 FAJARDO, PR 00738	WAL-MART PO BOX 960024 ORLANDO, FL 32896-0024
DEPARTAMENTO DE HACIENDA PO BOX 9024140 OFICINA 424 B SAN JUAN, PR 00902	
DEPARTAMENTO DEL TRABAJO AVE. MUÑOZ RIVERA 505 HATO REY, PR 00918	
FEDERAL LITIGATION DEPT OF JUSTICE PO BOX 9020192 SAN JUAN, PR 00902-0192	
JOSE LOPEZ SANTIAGO HC 02 BUZON 6510 LUQUILLO, PR 00773	
LITON LOAN SERVICING 4828 LOOP CENTRAL DRIVE HOUSTON, TX 77081	
MARIANNE BANKRUPTCY DEPARTMENT PO BOX 182125 COLUMBUS, OH 43218-2125	